

**DIVISION OF ENVIRONMENTAL HEALTH
SOLID WASTE PROGRAM
610 UNIVERSITY AVENUE
FAIRBANKS, AK 99709-3643**

<http://www.state.ak.us/dec/home/htm>

Telephone: (907) 451-2108

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File Number: 510.15.001

January 18, 2002

CERTIFIED MAIL - RETURN RECEIPT REQUESTED #

Emerson Moto, President
Deering IRA Council
P.O. Box 89
Deering, AK, 99739

Re: Deering Landfill, Solid Waste Disposal Permit #0132-BA006

Dear Mr. Moto:

The Department of Environmental Conservation has completed its evaluation of your request for a solid waste disposal permit, to allow for the operation and maintenance of a Class III municipal solid waste landfill near Deering, Alaska in Section 19, Township 8 N., Range 19 W., Kateel River Meridian. The Department is issuing this permit in accordance with AS 46, 18 AAC 15, and 18 AAC 60. Please review the conditions and stipulations in the permit and ensure they are all understood. This permit is effective upon issuance and expires **December 31, 2006**.

Any person who disagrees with this decision may appeal the decision by requesting an adjudicatory hearing, using the procedures contained in 18 AAC 15.200-310. Hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 555 Cordova Street, Anchorage, Alaska 99501, within 30 days of receipt of this letter. If a hearing is not requested within 30 days, the right to appeal is waived. Even if an adjudicatory hearing has been requested and granted, all permit conditions remain in full force and effect. Please also send a copy of the request to the undersigned.

Sincerely,

Heather Stockard
Solid Waste Program Manager

SKM/ (EH/SW/FBKS - G:\EH\SW\2001\0132-BA006 Deering.doc)

Enclosure: Permit 0132-BA006

cc w/enc: Trustees for Alaska/Anchorage
Maureen McCrea, DGC/Anchorage
Bcc Kent Monroe, ADEC/SW - Fairbanks

**ALASKA DEPARTMENT
OF
ENVIRONMENTAL CONSERVATION
DIVISION OF ENVIRONMENTAL HEALTH
610 UNIVERSITY AVENUE
FAIRBANKS, ALASKA 99709-3643**

SOLID WASTE DISPOSAL PERMIT

DEERING LANDFILL

Permit: **0132-BA006**

Date: **January 18, 2002**

This Solid Waste Disposal Permit is issued to the

NATIVE VILLAGE OF DEERING

for the operation and maintenance of a Class III Municipal Solid Waste Landfill for the disposal of household trash, construction/demolition waste and commercial refuse near Deering, Alaska, located in Sections 19, Township 8 N., Range 19 W., Kateel River Meridian.

Authority: The Department is issuing this permit in accordance with AS 46, 18 AAC 15, and 18 AAC 60 as amended or revised and other applicable state laws and regulations.

Conditions and Stipulations: All disposals made under the authority of this permit are subject to the conditions and stipulations contained within this permit and within Appendices A and B. This permit does not relieve the landfill owner/operator of the responsibility of complying with other state, local and federal laws. Anyone placing waste at this site must get permission of the landfill owner or operator first and may be required to pay dumping fees.

Term: This permit is effective upon issuance and expires December 31, 2006. It may be modified, terminated, or renewed in accordance with AS 46.03.120.

Heather Stockard
Solid Waste Program Manager
Alaska Department of Environmental Conservation

Emerson Moto
President
Deering IRA Council

Date: _____

Date: _____

APPENDIX A - SPECIFIC SITE CONDITIONS

I. SITE DEVELOPMENT

- A. Follow the designs and plans in the application dated July 2, 2001 and additional information submitted on September 11, 2001 as well as the following permit conditions. The Council may request changes to permit conditions, but they must be approved by ADEC.
- B. This permit is not valid for any solid waste disposal that closer than:
- ✍ 4 feet from the seasonal high groundwater level;
 - ✍ 50 feet from the property line; or
 - ✍ 200 feet from any drinking water source, unless local law requires a greater distance.

II. WASTE ACCEPTANCE

- A. Acceptable waste for disposal in this landfill include:
- ✍ Household and commercial solid waste;
 - ✍ Incinerated or burned ash from household and commercial solid waste;
 - ✍ Inert waste such as scrap metal, drained vehicles, appliances and construction/demolition debris;
 - ✍ Animal carcasses/parts and seafood or fish waste;
 - ✍ Septage and/or honey buckets; and
 - ✍ Sewage sludge from a wastewater plant.
- B. Only the following wastes may be burned at the landfill:
- ✍ Household trash and food waste;
 - ✍ Cardboard,
 - ✍ Clean wood and brush, and
 - ✍ Paper.
- C. The following wastes may not be burned:
- ✍ Anything explosive such as aerosol cans, liquid fuels, pressurized gas cylinders, and old ammunition;
 - ✍ Anything containing toxic metals which includes but is not limited to batteries;
 - ✍ Anything that causes toxic black smoke or smoldering such as tires, used oil, animals carcasses, large plastics, urethane foam insulation, rubber and tar products, cleaners, paints, solvents or other chemicals; and
 - ✍ Materials that contain asbestos.

II. WASTE ACCEPTANCE (cont.)

- D. The following wastes are prohibited for burial, and should be listed on a sign at the entrance to the landfill. Inform landfill users what to do with these materials in your community.
- ✍ Hazardous wastes such as acids, corrosives, solvents, used oil, oily wastes, paints, lead-acid batteries or explosives;
 - ✍ PCB wastes;
 - ✍ Radioactive wastes;
 - ✍ Infectious medical wastes;
 - ✍ Contaminated soil;
 - ✍ asbestos containing materials; and
 - ✍ Bulk liquids greater than one gallon.

III. SITE OPERATION

The permit holder shall:

A. Access to the Landfill

Install and maintain gates, fences and other structures as needed to prevent illegal dumping. Limit landfill operating hours as needed to times when an attendant is on duty. Post a sign at the entrance with landfill name, emergency contact information and operating hours. Maintain roads so that the landfill entrance and dumping areas are easy to get to and safe.

B. Water Control

Do not place wastes in surface water. Grade the site so that water from stormwater or snowmelt drains away from the wastes. Construct berms, ditches or other structures to drain water when needed so that water will not pool up at the site, or cause erosion. Remove any ponded water that is in contact with the wastes within 30 days.

C. Snow Control

Remove as much snow as possible from the disposal area before dumping the wastes. Remove all the snow from the disposal area before the spring thaw. Place any snow removed from the disposal area to an area within the landfill boundary, but not where the snowmelt will come in contact with wastes. Clean up any litter in that area after the snow melts. Erect snow fences or berms, as needed, to control blowing snow at the site.

D. Disposal Area

Put up signs inside the landfill so people know where to dump. Post rules for the landfill users. Limit the size of the disposal area so that the uncovered waste is limited to the smallest practical area not exceeding 50 feet in width. Remove any unacceptable wastes. Use only one disposal area at a time.

III. SITE OPERATION (cont.)

E. Burning

Wastes must be sorted before burning so that only waste listed in Part II.B are burned. Burning waste, if you chose to do so, must take place in a burn box, cage, or incinerator. Do not burn in the disposal area. Burn waste only when an operator is on duty. Burn only when weather conditions do not cause a wildfire hazard and wind is blowing away from the village. Start burning with dry wood, cardboard and paper to make the fire hot. Do not fill the burn container more than half full to allow airflow to the burning waste. Burn waste in a way that does not create black smoke or smoldering. Dispose of ash and debris in the disposal cell only after the ash has completely cooled.

F. Burying Wastes

Push all the waste into one area. Grade the waste to get rid of high steep slopes or unstable stacks of waste. Compact the wastes in a layer 2 feet deep using 3 to 5 passes of the bulldozer. Cover the waste with at least 6 inches of soil at least once a week as long as soils are not frozen.

G. Salvage Area

Maintain a separate area and rules for salvaging. Keep this area clean and neat for public use. Clean up the salvage area by removing and burying unused items at least once a year.

H. Vehicles and Appliances

Remove all gas, antifreeze, oil, greases, fluids and batteries from any vehicles or other machinery before placing them in the landfill. Have a certified freon technician drain cooling appliances (refrigerators and freezers) before burial.

I. Reduce Flies and Animal Attraction

Collect and store food waste in animal-proof containers. Promptly burn or bury food scraps, animal carcasses and fish waste. If needed, install and maintain a chain link or electric fence to deter bears and other animals.

J. Litter Control

Keep trash covered when hauling to the landfill. Pick up litter at the landfill and within 500 feet of the landfill boundary. Use litter control fences near the dumping area, as needed, to reduce blowing litter. Litter cleanups should be done in the spring and as often as needed to keep the site and surrounding area looking neat and clean.

K. Landfill Safety

Prohibit unsafe activities such as target practice at the site.

IV. MONITORING AND CORRECTIVE ACTION

The permit holder shall:

- A. Make sure the operator completes the Monthly Visual Checklist in Appendix C for each month.
- B. Conduct an annual review of the landfill by public works director or city administrator using the checklist in Appendix D or the one included in your permit application.
- C. Fix all problems discovered during the inspections in A or B above.
- D. Clean up any chemical or petroleum spills that occur on the site.
- E. Extinguish any uncontrolled fires that occur inside the landfill.

V. RECORDKEEPING AND REPORTING

The permit holder shall:

- A. Keep a file containing copies of the permit, solid waste management plan, operating plan, closure plan, updated landfill drawings and property documents.
- B. Keep a file containing copies of the monitoring checklists and any testing results.
- C. Keep records of the types and volume of wastes (in cubic yards) received at the landfill.
- D. Annually update the site drawings to show filled disposal areas or trenches, and currently active disposal trenches/areas.
- E. Report all spills of chemicals or petroleum products that occur at the landfill.
- F. Report any uncontrolled fires in the disposal area.

VI. CLOSURE

The permit holder shall:

- A. Notify the ADEC Solid Waste Program at least 30 days before the landfill is to be permanently closed.
- B. Cover all wastes within 90 days after the last waste disposal. The final cover shall consist of at least two feet of clean soil or gravel. The top six inches must be topsoil that holds enough water to grow native vegetation or grasses.
- C. Grade the final cover to drain surface water. The graded slope must be enough to drain off any stormwater or snowmelt, but not steep enough to cause erosion.
- D. Install and maintain permanent markers that can be used to find the exact location of the landfill boundary.
- E. Plant native vegetation or grass during the first growing season after the landfill closes. Use plants recommended by the Alaska Plant Material Center (907) 745-4469.
- F. Notify the ADEC Solid Waste Program in writing that the landfill closure has been completed within 90 days of completing steps A through D above.

VI. POST-CLOSURE

The permit holder shall:

- A. Prepare a drawing of the landfill as it was built and show the location and boundaries of all the waste disposal areas.
- B. Fill out the Notice of Closure form in Appendix E including a legal description of the landfill property that would be found during a title search. Attach the landfill drawing to the Notice of Closure and file these documents with the State Recorder's Office in the appropriate district.
- C. Send copies of the documents in A and B above and proof of filing to the ADEC Solid Waste Program within 5 years of closing the landfill.
- D. Visually inspect the landfill during the spring, for at least 5 years after closing the landfill. Check for signs of damage from settlement, or other problems using the Annual Post-Closure Checklist in Appendix F. Repair damage to the landfill cap discovered during the inspections.
- E. After 5 years, mail ADEC a copy of checklists showing problems and repairs made during the post-closure period and photographs of the closed landfill area.

APPENDIX B - GENERAL PERMIT CONDITIONS

I. ACCESS AND INSPECTION

The permittee shall allow the Commissioner or his/her representative access to the permitted facilities at reasonable times to conduct scheduled or unscheduled inspections or tests to determine compliance with this permit, State laws, and regulations.

II. INFORMATION ACCESS

Except for information relating to trade secrets, submitted under a claim of confidentiality, and for which the Department has determined in writing that protection from disclosure is appropriate, all records and reports submitted in accordance with the terms of this permit shall be available for public inspection at the State of Alaska Department of Environmental Conservation, Fairbanks Office, 610 University Avenue, Fairbanks, Alaska 99709-3643.

III. CIVIL AND CRIMINAL LIABILITY

Nothing in this permit shall relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, including, but not limited to, accidents, equipment breakdowns, or labor disputes.

IV. AVAILABILITY

The permittee shall post or maintain a copy of this permit available to the public at the disposal facility.

V. ADVERSE IMPACT

The permittee shall take all necessary means to minimize any adverse impacts to the receiving waters or lands resulting from noncompliance with any limitation specified in this permit, including any additional monitoring needed to determine the nature and impact of the noncomplying activity. The permittee shall cleanup and restore all areas adversely impacted by the noncompliance.

VI. CULTURAL OR PALEONTOLOGICAL RESOURCES

Should cultural or paleontological resources be discovered as a result of this activity, work which would disturb such resources is to be stopped, and the State Historic Preservation Office, Division of Parks and Outdoor Recreation, Department of Natural Resources, is to be notified immediately (907-269-8721).

VII. APPLICATIONS FOR RENEWAL

Applications for renewal or amendment of this permit must be made no later than 30 days before the expiration date of the permit or the planned effective date of the amendment.

VIII. OTHER LEGAL OBLIGATIONS

The requirements, duties, and obligations set forth in this permit are in addition to any requirements, duties, or obligations contained in any permit that the Alaska Department of Environmental Conservation or the U.S. Environmental Protection Agency has issued or may issue to the permittee. This permit does not relieve the permittee from the duty to obtain any and all necessary permits and to comply with the requirements contained in any such permit or with applicable state and federal laws and regulations. All activities conducted by the permittee pursuant to the terms of this permit and all plans implemented by the permittee pursuant to the terms of this permit shall comply with all applicable state and federal laws and regulations.

IX. POLLUTION PREVENTION

In order to prevent and minimize present and future pollution, when making management decisions that affect waste generation, the permittee shall consider the following order of priority options: waste source reduction; recycling of waste; waste treatment; and waste disposal.

APPENDIX C
MONTHLY VISUAL CHECKLIST
DEERING MUNICIPAL LANDFILL
Solid Waste Permit No. 0132-BA006

INSPECTOR NAME:	DATE:
JOB TITLE OF PERSON CONDUCTING INSPECTION:	
EVALUATE AND CIRCLE EACH ITEM - S (for Satisfactory) or U (for Unsatisfactory) or N (for Not applicable this month)	
A. LANDFILL ACCESS – Gate is locked when landfill operator is not present. Fences and gates in good repair. Signs are posted and easy to read. Roads are passable in all weather.	Evaluation: S U N Comments:
B. WATER CONTROL – No water in contact with wastes. Site is graded to prevent ponding. Any leachate is contained within landfill boundary.	Evaluation: S U N Comments:
C. SNOW CONTROL – Snow removed from disposal area.	Evaluation: S U N Comments:
D. DISPOSAL AREA – Signs posted at disposal area. Dumping area does not exceed 50 feet in width. All waste within designated dumping area.	Evaluation: S U N Comments:
E. BURNING – Burn area in good repair and ash is cleaned out. No open fires near loose trash or disposal area. Operator on duty during burning. No black smoke or smoldering.	Evaluation: S U N Comments:
F. BURYING WASTES – Waste is graded and compacted in layers no deeper than 2 feet. Waste was covered with 6 inches of soil this month.	Evaluation: S U N Comments:
G. SALVAGE AREA – Salvaging is kept separate from disposal area. Area is neat and clean.	Evaluation: S U N Comments:
H. VEHICLES AND APPLIANCES – Vehicles drained of all fluids and batteries removed. Freon removed from cooling appliances.	Evaluation: S U N Comments:
I. REDUCE FLIES AND ANIMAL ATTRACTION – Wastes are kept in containers before burial. Wastes are burned and/or buried promptly. If needed, electric fence is used and maintained.	Evaluation: S U N Comments:
J. LITTER CONTROL – Not much litter is visible. Landfill and access roads are picked up regularly.	Evaluation: S U N Comments:
K. LANDFILL SAFETY – No evidence of target practice or other unsafe activities.	Evaluation: S U N Comments:

APPENDIX C

MONTHLY VISUAL CHECKLIST

DEERING MUNICIPAL LANDFILL

Solid Waste Permit No. 0132-BA006

Notes:

APPENDIX D
ANNUAL REVIEW CHECKLIST
DEERING MUNICIPAL LANDFILL
Permit No. 0132-BA006

REVIEWER NAME:	DATE:
JOB TITLE OF REVIEWER:	
EVALUATE AND CIRCLE EACH ITEM	
A. PERMIT COMPLIANCE – Landfill is being operated according to the permit conditions.	Evaluation: Yes No Comments:
B. LANDFILL ACCESS – Gates, fences and signs in good repair. Access to landfill controlled to minimize illegal dumping.	Evaluation: Yes No Comments:
C. WASTE DISPOSAL –All waste is kept within the approved waste disposal areas. Landfill boundaries clearly marked.	Evaluation: Yes No Comments:
D. RECORD KEEPING REQUIREMENTS – Are the following documents in the landfill operating file ?	
Permit application or solid waste management plan	Evaluation: Yes No
Copy of landfill permit	Evaluation: Yes No
Monthly visual inspection records	Evaluation: Yes No
Staff training records (e.g. landfill operations, safety)	Evaluation: Yes No
Records of waste types and volume received at the landfill	Evaluation: Yes No
Map showing distance from landfill to airport, floodplain, surface waters and drinking water sources.	Evaluation: Yes No
Annually updated site drawings of the landfill design and filled areas	Evaluation: Yes No
Property documents for landfill (e.g. deed, lease, landowner permission)	Evaluation: Yes No
Notes:	

APPENDIX E

NOTICE OF CLOSURE OF A CLASS III LANDFILL Alaska Department of Environmental Conservation

Pursuant to 18 AAC 60.396, _____ hereby notices all
potential purchasers of this property that the property located at : [insert legal description] _____

and situated in the _____ Recording District(s) was used as a
Class III Municipal Solid Waste Landfill (MSWLF, as defined in 18 AAC 60.300 and 18 AAC
60.990. Thus, this property may not be suitable for some uses; maintenance and repairs to the property
might become necessary to prevent pollution problems at the site and any activity that results in damage
to the final cover of the property must be corrected to control potential pollution problems.

Please return the original of this Notice to the address below.

_____ Date: _____

Printed Name and Title: _____

Mailing Address: _____

See 11 AAC 05.010(a)(14) for required fee. Print or type legibly in English; if necessary, attach and
refer to attachments or exhibits (not larger than 8.5" x 14"). This form is intended to comply with the
recording requirements of AS 40.17.030 and 11 AAC 06.040.

APPENDIX F
ANNUAL POST-CLOSURE CHECKLIST
DEERING MUNICIPAL LANDFILL
Permit No. 0132-BA006

INSPECTOR NAME:

DATE:

JOB TITLE OF INSPECTOR:

Please attach at least four (4) color photographs of the site, each photo taken from the major compass points (north, south, east, and west) showing the entire site.

EVALUATE AND CIRCLE EACH ITEM - **S** (for Satisfactory) or **U** (for Unsatisfactory) or **N** (for Not applicable)

A. CLOSED CELLS – No signs of damage from settlement, ponding, leakage, frost action, or thawing waste. No exposed wastes.

Evaluation: **S** **U** **N**
Comments:

B. DITCHES – In good condition. No erosion, leakage or standing water.

Evaluation: **S** **U** **N**
Comments:

C. LITTER - Litter is not visible on the ground surface.

Evaluation: **S** **U** **N**
Comments:

D. SITE ACCESS AND CONTROL - Human access controlled by berms, fences and/or gates. Signs identify the facility and warn the public.

Evaluation: **S** **U** **N**
Comments:

E. WILDLIFE CONTROL - Animals not digging up waste at the site.

Evaluation: **S** **U** **N**
Comments:

F. FINAL COVER MATERIAL - No signs of cracks, slumping or erosion. Grading allows water to run off, but not erode landfill area.

Evaluation: **S** **U** **N**
Comments:

G. SURFACE WATER - No evidence of standing water visible. No evidence of leachate seeps such as discolored stains or foul smell.

Evaluation: **S** **U** **N**
Comments:

H. ILLEGAL DUMPING - No dumping occurring at the site.

Evaluation: **S** **U** **N**
Comments:

I. REVEGETATION – Grass and other plants cover landfill area.

Evaluation: **S** **U** **N**
Comments:

APPENDIX F

ANNUAL POST-CLOSURE CHECKLIST

DEERING MUNICIPAL LANDFILL

Permit No. 0132-BA006

Notes: